

SUPPLEMENTAL MATERIALS

Committee on Academic and Workforce Success

AGENDA ITEM V-N (1)

Consideration of adopting the Commissioner's recommendation to the Committee relating to the proposed amendments to Chapter 4, Subchapter C, Sections 4.53 – 4.59, and 4.62 and proposed new Section 4.63 of Board rules concerning the Texas Success Initiative (House Bill 2223, 85th Texas Legislature, Regular Session)

RECOMMENDATION: Approval

Background Information:

House Bill (HB) 2223, 85th Texas Legislature, Regular Session, requires that institutions develop and implement developmental education corequisite models for a percentage of underprepared students. Such models allow students to concurrently enroll in a freshman-level college course and a developmental education course or intervention designed to support students' success in the college-level course. The bill also adjusts funding for developmental education and relocates the Texas Success Initiative (TSI) statute in the Texas Education Code.

The proposed amendments and addition to Board rules provide clarification for institutions, specifically related to definitions, applicability, exemptions, timeline, and other factors to help ensure consistency and effectiveness of implementation of HB 2223.

Jerel Booker, Assistant Commissioner for College Readiness and Success, will present this item and be available to answer questions.

Date approved by the Commissioner for publication in the *Texas Register*: October 6, 2017

Date published in the *Texas Register*: October 20, 2017

The 30-day comment period with the *Texas Register* ended on: November 20, 2017

Ten comments were received regarding these proposed rules. After review of the comments, additional changes are recommended to the proposed rules.

- Section 4.53(13) – replace “COSC 1401” with “COSC 1301”
- Section 4.58(a)(2) – add “at minimum” to the statement requiring institutions to follow the criteria set forth in the ACGM

- Section 4.59(c)(2) – add “CLEP” in addition to “AP and IB” as another example of scores that can be used as successfully completed college-level coursework in a related field, as determined by the receiving institution

The changes are in bold and italicized in the rule text. A summary of each comment and the related response from Coordinating Board staff are listed below.

COMMENT 1

Peter Blaskiewicz, McLennan Community College

This commenter is concerned that the rules may constrain or “make illegal” the college’s ability to offer its intensive developmental education models and require it to provide corequisite models during summer and “mini-mester” sessions (typically three-week sessions just before, after, or between long sessions).

STAFF RESPONSE

HB 2223 and the proposed amendments to the Texas Administrative Code (TAC) do not curtail or make “illegal” options for underprepared students, including those for “mini-mester” sessions, which may or may not be implemented as corequisite models. While the bill outlines minimum percentages of students who must be enrolled in corequisite models, institutions may continue to serve those outside the percentages with non-corequisite options. With regard to summer sessions, since the requirements of HB 2223 related to corequisite models do not become effective until fall 2018, these sessions do not need to be addressed by institutions until summer 2019. Coordinating Board staff will continue to seek feedback in the upcoming months with regard to various options to meeting HB 2223 and serving underprepared students during shortened sessions such as summer. **No change is made to the proposed amendments based on this comment.**

COMMENT 2

Don A. Perry, Dallas County Community College District

Dallas County Community College District (DCCCD) is concerned about changing the responsibility from the institution to a test administrator to provide the pre-assessment (PAA), in that the language seems to imply that the PAA is now that staff person’s responsibility instead of the institution’s. The commenter proposes changes to rule language to make clear the institution, not the test administrator, is responsible for the PAA.

The commenter also requested the inclusion of CLEP into the list of examples, which include AP and IB scores, that institutions may use for determining readiness for underprepared students.

STAFF RESPONSE

As more school districts seek to administer independently the Texas Success Initiative Assessment (TSIA) rather than relying on public institutions of higher education, it is important that the rules related to the TSI recognize test administrations by both institutions and school districts. The proposed change from “institution” to “test administrator” does not shift the burden of responsibility and is made simply to ensure all test administrators, regardless of testing entity, understand the requirement for administering the Pre-Assessment Activity. Institutions and school districts approved by the College Board to administer the TSIA may

continue to determine which local policies governing practice and personnel are in place in meeting this requirement. **No change is made to the proposed amendments based on this comment.**

The proposed amendment to TAC, Section 4.59 adds AP and IB scores as examples for institutions in determining readiness for underprepared students through successfully completed non-developmental coursework, as determined by the receiving institution. **It was not intentional to omit CLEP; therefore, the proposed amendment has been changed to include CLEP in the examples.**

COMMENT 3

Thomas Awtry, Ph.D., Tarrant County College

Not commenting on behalf of his college, this individual made a comment related to developmental and college credit coursework the college uses for particular math pathways. He recommends adding specific readiness benchmarks on the TSIA for non-algebraic pathways.

STAFF RESPONSE

The comment covers material outside the scope of the rules currently under consideration, which are proposed specifically to implement HB 2223. However, it should be noted that the current TSIA cannot accommodate multiple college readiness benchmarks for the purposes of placing students in particular pathways, nor can it do so without development of an entirely new test. Diagnostic results, along with other factors, can be helpful to institutions and students for considering placement into appropriate pathways. **No change is made to the proposed amendments based on this comment.**

COMMENT 4

Jeremy Martin, The Charles A. Dana Center at The University of Texas at Austin and Bruce Vandal, Complete College America

Comment 4(a). These commenters are requesting a change to the definition of “corequisite” to be more specific and require that Intermediate Algebra not be used as a corequisite for non-algebra intensive entry-level courses, such as Math 1332 Contemporary Mathematics and Math 1342 Statistics.

STAFF RESPONSE

Not allowing institutions to use certain developmental education courses outlined in the Lower Division Academic Course Guide Manual (ACGM) conflicts with TSI statute (Texas Education Code, Section 51.331 et seq.), which requires that “the institution of higher education work with the student to develop an individualized plan to assist the student in becoming college ready.” Institutions have the authority to determine which courses/interventions, including Intermediate Algebra, are appropriate for individual students. Best practice recommendations will be addressed in FAQ documents and upcoming professional development and technical assistance trainings. **No change is made to the proposed amendments based on this comment.**

Comment 4(b). The commenters are requesting that the definition of “entry-level course” include an exclusive list of courses, rather than the currently permissive language regarding

which courses should be so considered. The commenters are concerned that institutions determine what are considered “entry-level courses” and that the amendment permits institutions to define Math 1314/1414 College Algebra as the only “entry-level” course and use it as a pre-requisite for Math 1342 Statistics.

STAFF RESPONSE:

Texas Administrative Code, Section 4.53 includes in the definition for “entry-level course” as one requiring no prerequisites and provides as part of the definition examples of such courses reported most commonly to THECB by institutions of higher education. The ACGM and each university’s approved undergraduate course inventory outline which courses at the institution are defined as entry-level. **No change is made to the proposed amendments based on this comment.**

Comment 4(c). The commenters are requesting that the definition of “mathematics pathways models” be changed and are proposing new rule language. They maintain that pathways models should cohere to particular design principles.

STAFF RESPONSE

The comment covers material outside the scope of the rules currently under consideration, which are proposed specifically to implement HB 2223. However, it should be noted that the current definition is purposefully broad in order to encompass multiple pathway models that may be implemented by an institution of higher education. **No change is made to the proposed amendments based on this comment.**

Comment 4(d). The commenters are concerned that the proposed amendment to TAC, Section 4.58 in requiring adherence to the learning outcomes outlined in the ACGM might artificially limit institutions’ ability to design co-requisite models. The second concern is raised with regard to students who fail the college-level course that the proposed amendment would require students to continue with developmental education even in cases in which the student had demonstrated readiness to enroll in a college-level course.

STAFF RESPONSE

Current student learning outcomes outlined in the ACGM were determined by faculty from Texas public institutions of higher education and are considered minimum criteria. In order to address the commenter’s concern, the proposed amendment will be modified to add the phrase “at minimum” to clarify that institutions may add learning outcomes to reflect underprepared students’ needs but should address, at minimum, those criteria set forth in the ACGM.

Proposed language in TAC, Section 4.58(f)(2) mirrors statute and is applicable only to students enrolled in corequisite models who have not successfully completed the freshman-level course *and* are not ready to perform freshman-level coursework. TSI statute (Texas Education Code, Section 51.331 et seq.) explicitly forbids institutions to require that college-ready students enroll in development education. **No change is made to the proposed amendments based on this comment.**

Comment 4(e). The commenters expressed concern that the proposed amendments do not support institutions in developing their own placement policies to meet students’ goals and strongly encourage revision to Section 4.59(b) to allow institutions to use additional measures

to help determine college readiness. Reasons for their recommendations include misalignment with College Board recommendations for appropriate use of their tests; weakening of student success efforts, especially for underserved students; contradiction to other parts of TSI code; and limitations for institutions to place students into courses. Commenters also cited multiple research studies.

STAFF RESPONSE

The comment covers material outside the scope of the rules currently under consideration, which are proposed specifically to implement HB 2223. However, it should be noted that current rules require that institutions use multiple factors to help determine the best placement for underprepared students, as well as allow minimal required interventions through non-course competency-based options (NCBOs). **No change is made to the proposed amendments based on this comment.**

COMMENT 5

Dr. Cesar Maldonado, Houston Community College (HCC)

The commenter notes findings from the Community College Research Center (CCRC), which reports that about 60% of entering students require remediation, but they are less likely to graduate with a postsecondary degree than those not needing remediation. HCC contends that Section 4.58(f) would trigger a positive reconnection between institutions of higher education and affected students and equip the latter with the necessary tools for academic success.

The commenter is concerned that the timeline for implementation of HB 2223, in regard to scaling both corequisite and competency-based models, may be too ambitious for some institutions to meet. HCC generally supports the legislative intent of HB 2223, relating to developmental course work offered by public institutions of higher education. HCC supports especially the inclusion of the proposed amendment TAC, Section 4.58(f), which requires the review existing student advisement plans, if necessary; and, offer a range of competency-based programs to assist students in becoming ready to perform freshman-level academic coursework.

STAFF RESPONSE

The timeline for institutions to implement the requirements of HB 2223 is clearly outlined in the statute, which does not grant THECB the authority to modify. **No change is made to the proposed amendments based on this comment.**

COMMENT 6

Jonda Halcomb, Ph.D., Del Mar College

Comment 6(a) Introduction. *"There are no anticipated economic costs to persons who are required to comply with the sections as proposed."*

The commenter is concerned about the "inaccurate" and "unrealistic" generalization made and notes a number of costs that will need to be addressed to implement HB 2223. Questions are raised with regard to funding challenges.

STAFF RESPONSE

This comment does not reference a specific proposed amendment to TAC rules. However, the commenter should be aware that non-course competency-based options (NCBOs), if reported, draw funding for institutions. Students also save money because they can be assessed reduced fees rather than full tuition for developmental education coursework/interventions. NCBOs enable institutions to require fewer hours for higher-skilled underprepared students and incur fewer faculty and institutional costs. **No change is made to the proposed amendments based on this comment.**

Comment 6(b) 4.58. The commenter raises questions with regard to course failures, competency-based program options, and timing of interventions.

STAFF RESPONSE

Issues of clarification related to instructional methodologies and program implementation will be addressed in an FAQ document and upcoming professional development and technical assistance trainings. **No change is made to the proposed amendments based on this comment.**

6(c). 4.59: The commenter raises concerns about Section 4.59, which implies there is no accountability in the developmental education course and removes incentives for students to attend or pass the developmental education course, suggesting some incentive be included to encourage success in both developmental and college-level courses.

STAFF RESPONSE

TAC Section 4.59(b) states the following: "Successful completion of the entry-level freshman course is demonstration of the student's college readiness, independent of his/her performance in co-enrolled developmental education." The rule clarifies that a student who successfully completes the college-level course but not the developmental component must be considered college ready and cannot be forced to re-enroll in the developmental component. The comment that there is no accountability in the developmental education course is not reflective of the language found in current or proposed rule. **No change is made to the proposed amendments based on this comment.**

COMMENT 7

Wendy Wilson, Ph.D., Lone Star College

The commenter notes that rules proposed in conjunction with the implementation of HB 2223 were shared with faculty and administration at Lone Star College.

Comment 7(a). The commenter suggests that a definition for "academic year" be added to clarify whether or not summer enrollment is counted in the requirements for HB 2223.

STAFF RESPONSE

Summer is included in the academic year, per TAC, Chapter 4, Subchapter A, Section 4.5(d). As described in the Glossary of Terms for the Coordinating Board Manual (CBM), the academic year is "The 12-month period of time generally extending from September to August." The requirements of HB 2223 related to corequisite models do not become effective until fall 2018, so summer sessions do not need to be addressed by institutions until summer 2019. THECB

staff will continue to seek feedback in the upcoming months with regard to various options to meeting HB 2223 and serving underprepared students during shortened timeframes inherent in summer. **No change is made to the proposed amendments based on this comment.**

Comment 7(b). The commenter requests that guidelines be added to rules to help support institutions as they implement appropriate corequisite models.

STAFF RESPONSE

Issues of guidance related to instructional methodologies and program implementation will be addressed in an FAQ document and upcoming professional development and technical assistance trainings. **No change is made to the proposed amendments based on this comment.**

COMMENT 8

Brady Franks, The University of Texas at Austin

Comment 8(a). The commenter is concerned that language in Section 4.59 may be misinterpreted, resulting in students underprepared in math being required to enroll in developmental reading/writing coursework. A request is made to clarify that corequisite requirements are subject-specific.

STAFF RESPONSE

HB 2223 requires implementation of a “corequisite model under which a student concurrently enrolls in a developmental education course and a freshman-level course in the same subject area for each subject area for which the student is referred to developmental coursework.” Furthermore, TAC, Section 4.53(7) clearly defines corequisite models as the “concurrent enrollment of a developmental education course or NCBO[7] as defined in paragraph (18) of this section[7] and the entry-level freshman course of the same subject matter within the same semester.” THECB believes both references provide adequate guidance and clarity for students and institutions. **No change is made to the proposed amendments based on this comment.**

Comment 8(b). The commenter is concerned that the use of the word “readiness” is ambiguous in Section 4.59 and should be clarified.

STAFF RESPONSE

Texas Education Code, Chapter 51, Subchapter F-1, Texas Success Initiative, Section 51.333(a), mandates that “An institution of higher education shall ... assess the academic skills of each entering undergraduate student to determine the student's readiness to enroll in freshman-level academic coursework.” Furthermore, the title of TAC, Section 4.59 reads “Determination of Readiness to Perform Entry-Level Freshman Coursework.” It is clear *readiness* explicitly refers to the ability to perform entry-level freshman coursework. THECB believes both references provide adequate guidance and clarity for students and institutions. **No change is made to the proposed amendments based on this comment.**

Comment 8(c). The commenter is concerned that there have been no discussions to use IB scores to exempt students from TSI and suggests providing clarification or removing it from this section.

STAFF RESPONSE

Including reference to IB scores as an example of successful completion of college-level coursework in a related field, as determined by the receiving institution, is not referring to a TSI exemption. TAC, Section 4.59 allows institutions to use both developmental and non-developmental education coursework to help determine the college readiness of entering undergraduate students. An institution's decision to award college-level course credit based on certain test scores is allowable and meets TSI statute. **No change is made to the proposed amendments based on this comment.**

COMMENT 9

Oscar Hernandez, Texas Southmost College

The commenter suggests a possible correction to Section 4.53(13) since COSC 1401 is no longer funded and is scheduled for deletion and suggests replacing it with COSC 1301.

STAFF RESPONSE

Staff agrees. The proposed amendment to TAC, Section 4.53(13) has been changed to remove COSC 1401 and replace it with COSC 1301.

COMMENT 10

Terra Alvarado, Texas State Technical College

The commenter notes an exemption from HB 2223 corequisite models for students who are enrolled in a program not requiring a freshman-level math course and asks if a similar exemption is under consideration for students enrolled in a program not requiring a freshman-level English course.

STAFF RESPONSE

Because there are courses required by institutions of higher education in addition to freshman-level English that are TSI-liable in writing and/or reading, there is currently no proposal to exempt from the requirements of HB 2223 students who are enrolled in a program that does not require a freshman-level English course. **No change is made to the proposed amendments based on this comment.**

CHAPTER 4.
RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS

SUBCHAPTER C.
TEXAS SUCCESS INITIATIVE

Section

- 4.51 Purpose
- 4.52 Authority
- 4.53 Definitions
- 4.54 Exemptions, Exceptions, and Waivers
- 4.55 Assessment and Placement
- 4.56 Assessment Instrument
- 4.57 College Ready Standards
- 4.58 Advisement and Plan for Academic Success
- 4.59 Determination of Readiness to Perform Entry-Level Freshman Coursework
- 4.60 Evaluation and Reporting
- 4.61 Limited Waiver of Rules
- 4.62 Required Components of Developmental Education Programs
- 4.63 Privacy of Student Information

4.51 No changes.

4.52 Authority

Under Texas Education Code, §51.344~~§51.307~~, the Board is authorized to adopt rules to implement the provisions of Texas Education Code, Chapter 51, Subchapter F-1, Texas Success Initiative~~§51.3062~~. Texas Education Code, §51.403(e), authorizes the Board to establish guidelines and reporting requirements.

4.53 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context indicates otherwise.

(1) – (6) No changes.

- (7) Co-requisite (also known as corequisite or mainstreaming)--An instructional strategy whereby undergraduate students as defined in paragraph (24) of this section are co-enrolled or concurrently enrolled in a developmental education course or NCBO~~[-]~~ as defined in paragraph (18) of this section~~[-]~~ and the entry-level freshman course of the same subject matter within the same semester. The developmental component provides support aligned directly with the learning outcomes, instruction, and assessment of the entry-level freshman course, and makes necessary adjustments as needed in order to advance students' success in the entry-level freshman course. Participation in the entry-level freshman course is not contingent upon performance in the developmental education component of the corequisite.

(8) – (12) No changes.

(13) Entry-level course (sometimes referred to as entry-level freshman coursework or freshman-level academic coursework)--Any course for academic credit in which a freshman student typically enrolls and comprises college-level content: the course shall not have prerequisites and is open to any student meeting TSI standards as defined in §4.57 of this title (relating to College Ready and Adult Basic Education (ABE) Standards) and/or meeting at least one of the exemptions or waivers as defined in §4.54 of this title (relating to Exemptions, Exceptions, and Waivers). These courses (or their local equivalent in Texas Common Core Numbering System) may include, but are not limited to, ENGL 1301, HIST 1301, PSYC 2301, GOVT 2305/2306, MATH 1314/1414/1324/1332/1342, SOCI 1301, PHIL 1301, SPCH 1311/1315, COSC 1301 ~~[1401]~~, HUMA 1301, ARTS 1301, and BIOL 1306/1406.

(14) – (16) No changes.

(17) Minimum Passing Standards--The minimum scores which must be attained by a student in reading, writing, and mathematics in the TSI Assessment Instrument that indicates the student's readiness to enroll in entry-level freshman courses as defined in paragraph (13) ~~[(12)]~~ of this section. These scores are set forth in §4.57 of this title (relating to Definitions).

(18) – (23) No changes.

(24) Undergraduate student—a student, other than a high school student enrolled in college-level coursework for dual credit, who enrolls at a Texas public institution of higher education in a field or program of study.

4.54 Exemptions, Exceptions, and Waivers

(a) The following students shall be exempt from the requirements of this title, whereby exempt students shall not be required to provide any additional demonstration of college readiness and shall be allowed to enroll in any entry-level freshman course as defined in §4.53 (13) ~~[(12)]~~ of this title (relating to Definitions):

(a) (1) – (4) No changes.

(5) A student who transfers to an institution from a public, private, or independent institution of higher education or an accredited out-of-state institution of higher education and who has satisfactorily completed college-level coursework as determined by the receiving institution.

(6) A student who has previously attended any institution and has been determined to have met readiness standards by that institution. For students meeting non-Algebra intensive readiness standards in mathematics as defined in §4.59~~[(d)(1)(B)]~~ of this title (relating to Determination of Readiness to Perform Entry-Level Freshman Coursework), institutions may choose to require additional preparatory coursework/interventions for Algebra intensive courses, including

MATH 1314/1324/1414 (or their local equivalent). It is the institution's responsibility to ensure that students are clearly informed of the consequences of successful completion of a mathematics pathways model which results in meeting the mathematics college readiness standard only for specific entry-level freshman mathematics courses.

(a) (7) – (10) No changes.

(b) No changes.

(c) ESOL Waiver--An institution may grant a temporary waiver from the assessment required under this title for students with demonstrated limited English proficiency in order to provide appropriate ESOL/ESL coursework and interventions. The waiver must be removed after the student attempts 15 credit hours of developmental ESOL coursework at a public junior college, public technical institute, or public state college; 9 credit hours of developmental ESOL coursework at a general academic teaching institution; or prior to enrolling in entry-level freshman coursework, whichever comes first, at which time the student would be administered the TSI Assessment. Funding limits as defined in Texas Education Code, \$51.340 [~~\$51.3062(1)(1) and (2)~~] for developmental education still apply. Developmental Education is not available for high school students.

(d) No changes.

4.55 Assessment and Placement

(a) An institution shall assess, by an instrument approved in §4.56 of this title (relating to Assessment Instruments), the academic skills of each entering, non-exempt undergraduate student as defined in §4.53(24) of this title (relating to Definitions) prior to enrollment of the student. Under exceptional circumstances, an institution may permit a student to enroll in freshman-level academic coursework without assessment but shall require the student to be assessed not later than the end of the first semester of enrollment in entry-level freshman [~~freshman-level academic~~] coursework.

(b) Prior to the administration of an approved instrument in §4.56 of this title (relating to Assessment Instrument), a test administrator [an institution] shall provide to the student a pre-assessment activity(ies) that addresses at a minimum the following components in an effective and efficient manner, such as through workshops, orientations, and/or online modules:

- (1) Importance of assessment in students' academic career;
- (2) Assessment process and components, including practice with feedback of sample test questions in all disciplinary areas;
- (3) Developmental education options including corequisite, course-pairing, non-course-based, modular, and other non-conventional interventions;

- (4) Institutional and/or community student resources (e.g., supplemental instruction, tutoring, transportation, childcare, financial aid).
- (c) For holistic placement of non-exempt undergraduate students not meeting standards as defined in §4.57(a) ~~[and (b)]~~ of this title (relating to College Ready ~~[and Adult Basic Education (ABE)]~~ Standards), institutions shall use for determination of appropriate courses and/or interventions the TSI Assessment results and accompanying Diagnostic Profile, along with consideration of one or more of the following:
 - (1) High school Grade Point Average/class ranking;
 - (2) Prior academic coursework and/or workplace experiences;
 - (3) Non-cognitive factors (e.g., motivation, self-efficacy); and
 - (4) Family-life issues (e.g., job, childcare, transportation, finances).
- (d) – (e) No changes.

4.56 Assessment Instrument

Beginning with the institution's first class day of Academic Year (fall) 2013, an institution of higher education shall use the TSI Assessment offered by the College Board as the only Board-approved assessment instrument under this title. Any previously-employed assessments (ACCUPLACER, Compass, THEA, Asset, Compass ESL, ACCUPLACER ESL) can no longer be used under this title for entering students who initially enroll in any course on or after the institution's first class day in fall 2013 or for any students retesting for TSI purposes. Test administrators of ~~[Institutions administering]~~ the TSI Assessment must follow the requirements and processes for test administration as set forth by the THECB and the test vendor.

4.57 College Ready Standards

- (a) No changes.
- (b) Institutions must use the TSI Assessment diagnostic results, along with other holistic factors, in their consideration of courses and/or interventions addressing the educational and training needs of undergraduate students not meeting the college readiness standards as defined in subsection (a) of this section.

4.58 Advisement and Plan for Academic Success

- (a) For each undergraduate student as defined in §4.53(24) of this title (relating to Definitions) who fails to meet the minimum passing standards described in §4.57 of this title (relating to College Ready ~~[Minimum Passing]~~ Standards), an institution shall:

- (1) Establish a program to advise the student regarding developmental education necessary to ensure the readiness of that student in performing freshman-level academic coursework.
- (2) Determine a plan, working with the student, for academic success, which shall include developmental education and may include provisions for enrollment in appropriate non-developmental coursework. Institutions must ensure developmental education courses and interventions meet *at minimum* the criteria set forth in the *Lower Division Academic Course Guide Manual (ACGM)*.

(b) – (e) No changes.

(f) For undergraduate students enrolled in a corequisite model as defined in §4.53(7) of this title (relating to Definitions) who fail to satisfactorily complete the freshman-level course, the institution of higher education must:

- (1) review the plan developed for the student under this section and, if necessary, work with the student to revise the plan; and
- (2) offer to the student a range of competency-based education programs to assist the student in becoming ready to perform freshman-level academic coursework in the applicable subject area(s).

4.59 Determination of Readiness to Perform Entry-Level Freshman Coursework

- (a) No changes.
- (b) An institution may enroll a non-exempt, undergraduate student who has not met the college readiness standard on the TSI Assessment [~~and is not otherwise exempt~~] in an entry-level freshman course if the student is co-enrolled in developmental education, as defined in §4.53(7) [~~or §4.53(8)~~] of this title (relating to Definitions). Successful completion of the entry-level freshman course is demonstration of the student's college readiness, independent of his/her performance in co-enrolled developmental education.
- (c) As indicators of readiness, institutions shall consider, as appropriate:
 - (1) Performance in developmental education.
 - (2) Performance in appropriate non-developmental coursework, including successfully completed college-level coursework in a related field using AP scores, IB scores, *CLEP scores*, and/or grades earned through dual credit, as determined by the receiving institution.

(d) – (e) No changes.

4.60 - 4.61 No changes.

4.62 Required Components of Developmental Education Programs

(a)(1) – (7) No changes.

- (8) Each institution of higher education shall develop and implement corequisite model(s) as defined in §4.53(7) of this title (relating to Definitions) for developmental mathematics and integrated reading/writing (IRW) courses and interventions, and each institution must ensure that a minimum percentage of its undergraduate students other than those exempt as outlined in subparagraph (B) of this paragraph must be enrolled in such corequisite model(s). ~~[course pairing of developmental education courses/interventions with entry-level freshman courses, also known as mainstreaming or co-enrollment of developmental education and entry-level freshman courses as defined in §4.53(12) of this title (relating to Definitions).]~~

(A) Each public institution of higher education must ensure that the institution's developmental courses and interventions comply with the requirements of this section according to the following schedule:

- (i) for the 2018-2019 academic year, at least 25 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s);
- (ii) for the 2019-2020 academic year, at least 50 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s);
- (iii) for the 2020-2021 academic year, at least 75 percent of the institution's non-exempt students enrolled by subject area in developmental education must be enrolled in corequisite model(s);

B) The following students are exempt by subject area(s) from this requirement:

- (i) students assessed at ABE Diagnostic levels 1-4 on the TSI Assessment;
- (ii) students who are college ready;
- (iii) students enrolled in adult education;
- (iv) students enrolled in degree plans not requiring a freshman-level academic mathematics course;
- (v) students who meet one or more of the exemptions as outlined in §4.54 (relating to Exemptions, Exceptions, and Waivers);

C) Institutions of higher education must adhere to developmental education funding limitations per TAC §13.107 (relating to Limitation on Formula Funding for Remedial and Developmental Courses and Interventions).

(b) – (c) No changes.

4.63 Privacy of Student Information

Institutions of higher education must ensure that the Texas Success Initiative is administered in a manner that complies with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.), the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information.